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Nokia Corporation
Our ref.: WO 34226

(Frist:15.07.04/Eing.)

Reference is made to the Written Opinion of the International Preliminary Examining Authority dated April 15, 2004.

For the time being, the claims as originally filed are maintained without amendment.

The subject-matter as defined by the presently valid claims is held to define novel as well as inventive subject-matter for the subsequently outlined reason.

With regard to the substantive issues of the pending Written Opinion, the International Preliminary Examining Authority refers to three documents out of six cited in the International Search Report. The analysis is based on documents D1, D2 and D3.

In this regard, it is alleged that the claimed subject-matter lacks inventive step over the teachings of document D1 or D2. Document D1 concerns an electronic bill pay system and document D2 concerns a computerized system for

Dresdner Bank, München	Kto. 3939 844	BLZ 700 800 00	IBAN-Nr.: DE47 7008 0000 0393 9844 00	BIC : DRES DE FF 700
Deutsche Bank, München	Kto. 2861 060	BLZ 700 700 24	IBAN-Nr.: DE14 7007 0024 0286 1060 00	BIC : DEUT DE DB MUC
Postbank, München	Kto. 6704 3804	BLZ 700 100 80	IBAN-Nr.: DE04 7001 0080 0067 0438 04	BIC : PBNK DE FF
Mizuho Corp. Bank, Düsseldorf	Kto. 810 423 3007	BLZ 300 207 00	IBAN-Nr.: DE75 3002 0700 8104 2330 07	BIC : MHCB DE DD
UFJ Bank Limited, Düsseldorf	Kto. 500 047	BLZ 301 307 00	IBAN-Nr.: DE09 3013 0700 0000 5000 47	BIC : SANW DE DX
Steuernr.: 9 148/641/28007 Ust-ID/VAT: DE 1307 480 35				

JG226

making payments and authenticating transactions over the Internet.

According to the International Examining Authority, the claimed invention differs from the techniques described in these documents only by the fact that those do not explicitly describe that the method can be used for depositing a credit on an account associated to a terminal in a communication network. Rather, these documents seem to be directed to making a payment and to debiting a certain account.

However, whether debiting or crediting appears to be a similar transaction differing only by the sign of the amount concerned, i.e. "plus" or "minus".

However, for the subsequently reasons, it is strongly held that a reduction of the International Preliminary Examining Authority's analysis to this alleged similarity is - with all due respect - not fully appropriate.

Namely, the underlying method and the signalling involved with the present invention is clearly different as compared to both prior art documents, and also not derivable from a single one thereof or even from a combination thereof.

In particular, already the step of interacting as claimed yields as a result whether a credit is to be deposited or not. The International Examining Authority compares this interacting with the payment of bills between a consumer and a biller according to document D1.

However, consumer and biller even though performing a transaction which has to be paid for, cannot be compared to the interacting step. Namely, according to the claimed

invention, the interaction takes place between the terminal (consumer or biller) and a network entity such as an application server. According to document D1, the transaction to be credited/debited takes place between the consumer and the biller, thus representing two terminals. Stated in other words, according to document D1 as well as document D2, in a transaction between terminals, a bill is settled, whereas, according to the present invention, in an interaction between a terminal and a network entity, a credit to be deposited (insofar partly comparable to an amount due indicated on a bill) is generated. The method as claimed is thus clearly different from the prior art arrangements in terms of entities involved as well as in terms of signalling involved therebetween.

Already for these reasons, it is held that the claimed subject-matter is novel as well as inventive, since neither document D1 nor D2 disclose or suggest such an interacting step.

Therefore, the International Preliminary Examining Authority is respectfully invited to reconsider the previously presented objections against the allowability of the claims as on file under the regulations of the Patent Cooperation Treaty.

Competent reconsideration of the claims in the light of the above arguments is deemed to lead to a positive international preliminary report on patentability under chapter II PCT as the subsequent procedural step.